

Approved  
6/21/2017

**Endangered and Nongame Species Advisory Committee  
Meeting Minutes  
April 19, 2017  
Assunpink Conservation Center**

**Members in attendance:** Barbara Brummer, Jim Applegate, Joanna Burger, Howard Geduldig, Rick Lathrop, Erica Miller, Jane Morton-Galetto, Howard Reinert, Jim Shissias. David Mizrahi and Emile DeVito arrived later.

**Staff in attendance:** Larry Herrighty (Fish and Wildlife Director), Dave Golden (Assistant Director), David Jenkins (Chief, ENSP), Kathy Clark. Amanda Dey joined later.

**Guests:** none

Meeting was called to order by Chair Barbara Brummer at 10:05 AM. The public notice for this meeting was read by D. Jenkins.

**Approval of Minutes**

A motion to approve the minutes of the January 2017 meeting was made by J. Shissias, seconded by J. Burger. ENSP will clarify the Piping Plover minimum productivity figure cited in the penultimate paragraph of the C. Davis presentation. Motion was approved by all with R. Lathrop abstaining.

**Action Items Update**

No action was taken on the letter proposed from ENSAC regarding Enduro events on state lands. E. DeVito did not draft the letter because the proposed routes would be limited in scope (to plow lines). However, a new action item is to review last May's resolution for possible comment letter.

**Director's Report**

Director L. Herrighty described a number of new projects that will be created using Pittman-Robertson federal funding that would have been obligated for the proposed (but cancelled) archery park.

D. Golden gave an update on the WMA user survey, which will wrap up this spring. Stockton and DFW will be conducting focus group meetings. Stockton will have a year (to June 2018) to analyze and report on the project, but will provide a preliminary report in June/July.

At the meeting of the NE Association of Fish and Wildlife Agencies, L. Herrighty learned that the national Blue Ribbon panel's legislation for nongame wildlife funding will be proposed in a slightly new version in the near future.

D. Golden reported the Sparta Mountain WMA forest stewardship plan was finalized, after consideration of public comments and stakeholder meetings. DFW had committed to a public

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meeting after completing the plan, and that meeting will be held in May at the Sussex County vo-tech center. Updated information by DFW will be available at [www.spartafacts.gov](http://www.spartafacts.gov). J. Applegate noted that forest management for wildlife was the topic at yesterday's meeting of the NJ Chapter of The Wildlife Society, where S. Petzinger and B. Zarate gave important presentations.

### **Legislative Update**

There are two bills in the Assembly and Senate that make lands management on state lands much more onerous. A-4646 / S-3044 would prohibit certain activities, and would codify the Landscape Project. The activities that would be affected are many, including all habitat and land management actions and would prohibit all activities that might adversely impact certain rare or imperiled plants or wildlife. The bills refer to lists of plants and animals that are expansive (E, T, SC). D. Jenkins noted that the list of animals is adopted by rulemaking with a public process, but the plant list is not created using public process. The DFW and DEP have serious concerns about codifying the Landscape Project. The DEP-NHR has an internal lands management review policy that assesses potential impacts of activities to minimize negative impacts to E&T wildlife and plants.

A-4647 / S-3043 would remove the exemption from Highlands rules for public lands that operate under a forest stewardship plan. If it became law, the state would need to obtain a "Highlands Preservation Area Approval" to carry out forest management on WMAs and State Forests, while forestry conducted on private land in accordance with a woodland management plan or forest stewardship plan would remain exempt.

D. Jenkins noted that the rules are about to be proposed that implement provisions of a forest stewardship bill passed in 2009 that provides reduced tax assessment for properties with forest stewardship plans.

A-4700 would designate Little Brown Bat as the official NJ state bat. There are other bills that also draw attention to bats.

J. Galetto asked about A-2949 – which made Diamondback Terrapin a nongame species. D. Jenkins noted that the bill was signed into law last summer (July 15, 2016).

### **Public Input**

No public comments.

### **Report from Nominating Committee**

J. Shissias made a motion to nominate Rick Lathrop as ENSAC chair and Howard Reinert as vice-chair. There was no discussion. The vote was unanimous and motion was passed.

At this time, R. Lathrop took over the chairmanship of the meeting.

## **Updates / Old Business**

### State Wildlife Action Plan (SWAP) revision

ENSP met with USFWS (Dee Blanton) in February to review our draft plan and plan for completion. The Program also engaged an editor who is helping to complete the plan. The biggest challenge has been the database format of the threats and actions, which is the heart of the plan. New information and sections will continue to be posted on the DFW website and when that happens those who subscribe to DFW email lists will receive email notices. ENSP will submit the Plan to the USFWS with a known deficiency of not having conducted a required 30 day public review on the completed plans. Public review of the completed plans will occur after internal review, hopefully beginning in late summer. After the approval of this revision, ENSP will continue to work on the Plan to improve the focus and prioritization.

### Meeting Schedule Adjustment

The next ENSAC meeting would normally be May, but R. Lathrop proposed Wednesday, June 21, as the next meeting date. That would cancel the May 17 meeting.

### Update on the oyster aquaculture/red knot adaptive management strategy

J. Galetto reported on the meeting held yesterday of the Aquaculture Stakeholder Committee. The group decided to create a scientific advisory group. They discussed a “Structured Decision Making” method to focus the members on tasks and recommendations. J. Galetto suggested that process may need the continued presence of a facilitator.

R. Lathrop explained that Rutgers received funding through Sea Grant to hold an aquaculture forum, including a workshop last fall and a meeting this summer. This forum is focused on aquaculture primarily; R. Lathrop agreed to serve on the planning committee to represent wildlife concerns, promoting not only adequate habitat but room for shorebird recovery. The stakeholder committee has asked to bring horseshoe crab experts into the aquaculture forum.

R. Lathrop explained that a list of experts was assembled for review, for appointing two experts on each side to serve on the scientific advisory group. Choosing the final slate of experts may be difficult. J. Galetto added that although there will be a science group, the stakeholder group could also reach out to other experts as needed.

D. Mizrahi noted the role of the scientific advisory group to help identify knowledge gaps and provide advice on best approaches to improve knowledge.

Co-chairs of the Aquaculture Advisory Committee are Tim Dillingham and Betsy Haskin. There will be an in-person meeting in late October.

D. Jenkins notes the Agency Aquaculture Committee will be looking to the stakeholder group (with assistance of scientific advisory group) to suggest how to modify conservation measures and while ensuring conservation and protection of red knots.

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Annual report on Red Knot monitoring

M. Dey gave a presentation on the metrics collected to monitor red knot abundance and condition in Delaware Bay. In 2016 the density of horseshoe crab eggs in NJ beaches did not increase much above 2015 level. However, in the last two years the proportion of red knots gaining take-off weight of 180g has increased toward the 80% (of population) goal.

The Virginia Tech horseshoe crab trawl was conducted in 2002-2012 and again in 2016, and showed minimal improvement in mature male crabs but no improvement in mature female crabs. The ASMFC Adaptive Resource Management model will now include a 15% mortality rate related to crabs handled by the lysate industry.

Motion by J. Burger, seconded by E. DeVito, to send a letter to Commissioner Martin requesting information on horseshoe crab mortality related to the lysate industry (capture to release mortality by sex, number of crabs bled by sex) and that the Adaptive Resource Management Model management objective be changed from maximizing crab harvest to maximizing red knot recovery. Discussion followed.

L. Herrightly suggested that the approach would be the three commissioners that represent NJ on the ASMFC.

J. Burger revised the motion, seconded by E. DeVito. **Revised: ENSAC will prepare and send a letter to the DEP Commissioner with copy to the three ASMFC commissioners (who represent NJ) requesting information on horseshoe crab mortality related to the lysate industry (capture-to-release mortality by sex, number of crabs bled by sex). Motion passed unanimously.**

J. Burger asked that M. Dey prepare a draft letter that she (JB) would complete. Suggest mentioning the recent IUCN listing of American horseshoe crab as Vulnerable, as well as the 2016 USFWS listing of Red Knot as Threatened.

**New Business**

No new business.

**Meeting Adjourned at 1:45 PM.**

**SUMMARY LIST OF ALL ACTION ITEMS**

*Action item:* Review the May 2016 ENSAC resolution re. enduro events on state lands and determine if a letter reflecting this resolution is still needed.

*Action item:* Advise and book a revised meeting date of June 21 to replace the May meeting.

*Action item:* Check the availability of the Sedge Island House for a unofficial gathering in July.